

BRYAN SCHWARTZ (SBN 209903)
LOGAN TALBOT (SBN 300591)
Bryan Schwartz Law
1330 Broadway, Suite 1630
Oakland, CA 94612
Telephone: 510-444-9301
Email: bryan@bryanschwarzlaw.com
Attorneys for Plaintiff Teresa Caponio

JASON R. MCCLITIS
Blake & Uhlig, P.A.
753 State Ave., Ste. 475
Kansas City, KS 66101
Tel: 913-321-8884
Fax: 913-321-2396
jrm@blake-uhlig.com
Admitted Pro Hac Vice
Attorneys for Defendants

Additional counsel listed on following page

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

TERESA CAPONIO,

Plaintiff,

vs.

**BOILERMAKERS LODGE 549;
BOILERMAKERS WESTERN STATES
JOINT APPRENTICESHIP PROGRAM;
and INTERNATIONAL
BROTHERHOOD OF
BOILERMAKERS,**

Defendants.

Case Number: 16-cv-3919-VC

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER CONTINUING
CASE MANAGEMENT CONFERENCE
AND DEADLINES FOR MOTION TO
DISMISS BRIEFING. 'CUO QF HIGF**

Complaint Filed: July 12, 2016

*JOINT STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING CASE MANAGEMENT
CONFERENCE AND BRIEFING DEADLINES*
Case No. 16-cv-3919

1 DAVID ROSENFELD
2 CONCHITA LOZANO-BATISTA
3 ANNE I. YEN
4 WEINBERG, ROGER & ROSENFELD
5 A Professional Corporation
6 1001 Marina Village Parkway, Suite 200
7 Alameda, California 94501
8 Telephone (510) 337-1001
9 Fax (510) 337-1023
10 drosenfeld@unioncounsel.net
11 clozano@unioncounsel.net
12 ayen@unioncounsel.net

13 *Additional Attorneys for Defendants*

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28 *JOINT STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING CASE MANAGEMENT
CONFERENCE AND BRIEFING DEADLINES*
Case No. 16-cv-3919

Pursuant to United States District Court, Northern District of California Local Rule 6-2, the following Stipulation is entered in to Plaintiff TERESA CAPONIO (“Plaintiff”) and Defendants BOILERMAKERS LODGE 549, BOILERMAKERS WESTERN STATES JOINT APPRENTICESHIP PROGRAM and INTERNATIONAL BROTHERHOOD OF BOILERMAKERS (“Defendants”) (collectively, the “Parties”) by and through their counsel of record:

WHEREAS, the Court scheduled a case management conference before the Magistrate in the above-referenced matter for October 19, 2016 (Doc. 3); and

WHEREAS, since that scheduling order, Defendants have declined to proceed with a Magistrate, thereby effectively vacating the conference, in the Parties’ understanding; and

WHEREAS, Boilermakers Lodge 549 has not yet entered an appearance in this matter, but will be represented by the attorneys of Weinberg, Roger & Rosenfeld; and

WHEREAS, two Defendants have filed Motions to Dismiss with prejudice (Doc. 12 and Doc. 15); and

WHEREAS, the Motions to Dismiss were noticed to be heard on November 10, 2016; and

WHEREAS, on September 14, 2016 the Court took all pending motions off-calendar and required them to be re-noticed; and

WHEREAS the Court also scheduled a Case Management Conference for October 25, 2016; and

WHEREAS lead counsel for Plaintiff has a previously-scheduled litigation conflict all day on October 25, 2016; and

WHEREAS, based upon professional courtesy, and suffering no prejudice, Defendants have agreed to extend Plaintiff’s deadline to oppose the motions to October 13, 2016, which is 28 days before the currently-noticed hearing date; and

*JOINT STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING CASE MANAGEMENT
CONFERENCE AND BRIEFING DEADLINES*
Case No. 16-cv-3919

1 WHEREAS Defendants which have already appeared have filed or will file, today, a re-
2 notice of their Motions to Dismiss for hearing on November 10, 2016 before the Honorable
3 District Judge Chhabria; and

4 WHEREAS, based upon professional courtesy, and suffering no prejudice, Plaintiff has
5 agreed to extend Defendant's deadline to reply to the opposition(s) to the motions to October 27,
6 2016, which is 14 days before the currently-noticed hearing date;

7 IT IS HEREBY STIPULATED AS FOLLOWS:

8 The Parties respectfully request the Court consider November 10, 2016 as a date for the
9 hearing on the Motions to Dismiss and request to hold the rescheduled case management
10 conference on the same date, or, if that date is improper for a case management conference, on
11 the earliest available date thereafter, November 44, 2016,

12 The Parties further respectfully request that the Court permit Plaintiff to submit on or
13 before October 13, 2016 her anticipated opposition(s) to the Motions filed by the two Defendants
14 which have already appeared, and to permit Defendants to reply to such oppositions on or before
15 October 27, 2016.

16 The Parties stipulate that the deadlines to complete pre-case management conference
17 tasks including, but not limited to, the service of initial disclosure statements and the filing of a
18 joint case management conference statement, would be similarly continued to dates consistent
19 with the continued case management conference.

20 Dated: September 14, 2016 Respectfully Submitted,

21 /s/ Jason R. McClitis

22 JASON R. MCCLITIS
23 Blake & Uhlig, P.A.
24 753 State Ave., Ste. 475
25 Kansas City, KS 66101
26 Tel: 913-321-8884
27 Fax: 913-321-2396
28 jrm@blake-uhlig.com
Admitted Pro Hac Vice

JOINT STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING CASE MANAGEMENT
CONFERENCE AND BRIEFING DEADLINES
Case No. 16-cv-3919

/s/ Anne I. Yen

DAVID ROSENFELD
CONCHITA LOZANO-BATISTA
ANNE I. YEN
WEINBERG, ROGER & ROSENFELD
A Professional Corporation
1001 Marina Village Parkway, Suite 200
Alameda, California 94501
Telephone (510) 337-1001
Fax (510) 337-1023
drosenfeld@unioncounsel.net
clozano@unioncounsel.net
ayen@unioncounsel.net

/s/ Bryan Schwartz


BRYAN SCHWARTZ
LOGAN TALBOT
Bryan Schwartz Law
1330 Broadway
Suite 1630
Oakland, CA 94612
Telephone: 510-444-9301
Email: bryan@bryanschwartzlaw.com

Attorneys for Plaintiff Teresa Caponio

~~[PROPOSED]~~ ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS SO ORDERED.

Dated: September 15, 2016


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

*JOINT STIPULATION AND ~~[PROPOSED]~~ ORDER CONTINUING CASE MANAGEMENT
CONFERENCE AND BRIEFING DEADLINES*

Case No. 16-cv-3919